

How to Ask for a Contempt Order

If the other party does not obey a court order

You should **only** use these instructions if the order you want the other party to follow is about:

- Visitation or residential time with the children (Parenting Plan, Residential Schedule, Custody Order, etc.);
- Child Support;
- Maintenance (i.e. alimony or spousal support)

When you ask for a Contempt Order, the other party may have the right to a Public defender. That means the hearing could be postponed for several weeks.

There may be faster ways to get the other party to obey a Court order. A lawyer can tell you about your options.

Talk to a lawyer, if you can

These instructions have been developed by the King County Superior Court Family Law Information Center. They are not intended to be a substitute for legal advice. They provide only legal *information*. It's a good idea to talk to a lawyer before you file any forms. If you cannot afford a lawyer, you can:

- Find a lawyer to help you with the *most difficult* parts of your case, such as reviewing your forms, explaining how to get ready for court and confirming this is the best legal action for your case. You can contact the King County Bar Association to ask for a referral.
- Ask the Family Law Facilitator's office for a list of low-cost and free legal resources.

King County Superior Court
516 3rd Ave, Room W-382
Seattle, WA 98104

Maleng Regional Justice Center
401 4th Ave North, Room 3D
Kent, WA 98032

Step 1: Fill out these forms:

All of these forms can be downloaded at www.courts.wa.gov/forms/

Name of Form	Form No.	Notes
Motion for Contempt Hearing	FL All Family 165	Attach a copy of the Order that the other party disobeyed. If the Order is from another county, talk to a lawyer first.
Declaration	FL All Family 135	
Order to Go to Court for Contempt Hearing (Order to Show Cause)	FL All Family 166	See Step 2 for information on how to choose a hearing date.
Proof of Personal Service	FL All Family 101	This is for the server to fill out after copies of the court papers are served to the other party
Contempt Hearing Order	FL All Family 167	Fill out the way you want the Commissioner to decide. Write “PROPOSED” at the top of each copy, but not the original.
Sealed Financial Source Documents	FL All Family 011	Only use if the other party disobeyed an order about money. Put this form on front of any financial documents you file.

Step 2: How to choose a court date.

Date: Choose any weekday (except a court holiday) that is at least 14 calendar days from the date you plan to have the other party served. If your case is sealed, it may be noted on any court day for Seattle and on any day **except Tuesday** for Kent.

Time: 9:00 am (or 1:30 pm if your file is sealed).

Address: Seattle Courthouse, 516 Third Ave, Seattle, WA 98104 (Seattle cases).
Maleng Regional Justice Center, 401 Fourth Ave N., Kent, WA 98032 (Kent cases).

Room: W-291 (Seattle cases); 1F (Kent cases)

Docket/Calendar: Family Law

How many copies do I need?

- **Original** set to file with the Clerk's Office.
- Copy **1** will go to the Commissioner for your court hearing.
- Copy **2** is to serve the other party
- Copy **3** you will keep for your records.

Step 3: Take the originals of your completed forms to the Clerk's Office.

- Pay the processing fee and fill out the [Cover Sheet](#) that the Clerk will give you.
- Give the clerk the originals of all papers from Step 1 **except** the *Contempt Hearing Order* which is your proposed order.
- A Clerk will have the Commissioner sign your *Order to Go to Court for Contempt Hearing (Order to Show Cause)* and return a copy to you.

Step 4: Deliver Commissioner's Copy

The Commissioner's copy is a set of all forms from Step 1 including the "Proposed" order you would like the court to sign at the court date you have selected. Take this copy to the Family Law window and turn it in at least **3 court days by 12 noon** before your hearing.

Copy the words below in the upper right hand corner on the first page only of the set of forms you are delivering to the Commissioner.

Working Papers

Family Law Motions

Hearing date: _____

Hearing time: _____

Presented by (your name): _____

Step 5: Have the other party served.

The other party must be served a copy of all of your court papers (except the *Return of Service*) at least **14 days** before the hearing.

How to Serve:

- Someone over 18 – **not you** – must serve (give) the other party copies of your court papers.
- After serving, the server fills out the [Proof of Personal Service](#) form (FL All Family 101) and gives it to you. ([If the other party is personally served outside Washington State, fill out and file form FL All Family 102 also.](#))
- File the original *Proof of Personal Service* with the Clerk. Keep a copy. You will need it at your hearing.

Step 6: Confirm Your Hearing.



Your hearing will be cancelled if you don't confirm your hearing and deliver the copies to the Commissioner on time.

You can confirm by phone, in person or online. Here's how:

Call or come in person (206)-477-1523 (Seattle) Room W-292 (206)-477-2750 (Kent) Room A1222	3 court days before your hearing between 2:30 pm – 4:15 pm or 2 court days before your hearing between 8:30 am – 12:00 pm . <i>When you call, give your case number, date and time of hearing. The Clerk will give you a confirmation number.</i>
Online: https://blue.kingcounty.gov/courts/superiorcourt/confirmations/default.aspx	You can confirm online starting at noon 3 court days before the hearing until noon of the 2nd court day before your hearing. You must give your email address, phone number, and information to identify your case. If you don't receive a confirmation email you must call one of the confirmation numbers above

If the other party chooses to respond to your motion, he or she must do so by 12 noon 4 court days before the hearing. If you wish to reply to the other party's response you must do so by **12 noon 2 court days** before the hearing (See Family Law Information Center Instruction 7.5.).

Step 7: Go to Your Hearing.

- Arrive at the courthouse at least **30 minutes early!** You will need time to go through security.
- Go to the Family Law window at the courthouse to check in.
- Take your original orders and all copies of the forms you filed. Don't forget your copy of the *Proof of Personal Service!*
- If the Court approves the Order you asked for, give it to the Clerk. If you need copies of your Order right away, tell the Clerk.